

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

|                                 |   |                                      |
|---------------------------------|---|--------------------------------------|
| <b>TYRONE GREEN,</b>            | : | <b>CIVIL ACTION NO. 1:13-CV-2978</b> |
|                                 | : |                                      |
| <b>Plaintiff</b>                | : | <b>(Chief Judge Conner)</b>          |
|                                 | : |                                      |
| <b>v.</b>                       | : |                                      |
|                                 | : |                                      |
| <b>COMMONWEALTH OF</b>          | : |                                      |
| <b>PENNSYLVANIA, DEPARTMENT</b> | : |                                      |
| <b>OF CORRECTIONS</b>           | : |                                      |
|                                 | : |                                      |
| <b>Defendants</b>               | : |                                      |

**ORDER**

AND NOW, this 3rd day of March, 2014, upon consideration of plaintiff's motion (Doc. 12) for reconsideration, and it appearing that plaintiff fails to demonstrate reliance on one of three major grounds needed for a proper motion for reconsideration, North River Ins. Co. v. Cigna Reinsurance Co., 52 F.3d 1194, 1218 (3d Cir. 1995) (stating three major grounds include "(1) an intervening change in controlling law; (2) the availability of new evidence [not available previously]; [or], (3) the need to correct clear error [of law] or prevent manifest injustice." ), but, instead, simply disagrees with the Court's decision, see Waye v. First Citizen's Nat'l Bank, 846 F. Supp. 310, 314 (M.D. Pa. 1994) (finding that "[a] motion for reconsideration is not to be used to reargue matters already argued and disposed of."), aff'd, 31 F.3d 1174 (3d Cir. 1994); see also Database America, Inc. v. BellSouth Adver. & Publ'g Corp., 825 F. Supp. 1216, 1220 (D.N.J. 1993) (citations omitted) (holding "[a] party seeking reconsideration must show more than a disagreement with the Court's decision, and 'recapitulation of the cases and arguments

considered by the court before rendering its original decision fails to carry the moving party's burden.'"), it is hereby ORDERED that:

1. Plaintiff's motion (Doc. 12) for reconsideration is DENIED.
2. Plaintiff's motion (Doc. 15) for an extension of time to file an amended complaint is GRANTED.
3. Plaintiff shall file an amended complaint on or before March 28, 2014.
4. The amended complaint shall contain the same case number that is already assigned to this action, 1:13-CV-2978, and shall be direct, concise, and shall stand alone without reference to any other document filed in this matter. See FED. R. Civ. P. 8(e).
5. Plaintiff is strictly cautioned that the inclusion of separate, unrelated claims will be considered a failure to comply with an order of Court and will result in dismissal of the complaint. See FED. R. Civ. P. 20.
6. Failure to file an amended complaint within the specified time period will result in dismissal of the action for failure to comply with an order of court.

/S/ CHRISTOPHER C. CONNER

Christopher C. Conner, Chief Judge  
United States District Court  
Middle District of Pennsylvania